

Fill in this information to identify the case:

Debtor 1 Shane Kelly Abbott, Jr.

Debtor 2 _____

(Spouse, if filing)

United States Bankruptcy Court for the EASTERN District of PENNSYLVANIA

Case number 19-10152-amc**Official Form 410S2****Notice of Postpetition Mortgage Fees, Expenses, and Charges**

12/16

If the debtor's plan provides for payment of postpetition contractual installments on your claim secured by a security interest in the debtor's principal residence, you must use this form to give notice of any fees, expenses, and charges incurred after the bankruptcy filing that you assert are recoverable against the debtor or against the debtor's principal residence.

File this form as a supplement to your proof of claim. See Bankruptcy Rule 3002.1.

Name of creditor: MTGLQ INVESTORS, L.P.

Court claim no. (if known): 4

Last 4 digits of any number you use to identify the debtor's account: 2699

Does this notice supplement a prior notice of postpetition fees, expenses, and charges?

☒ No

☐ Yes. Date of the last notice:

Part 1: Itemize Postpetition Fees, Expenses, and Charges

Itemize the fees, expenses, and charges incurred on the debtor's mortgage account after the petition was filed. Do not include any escrow account disbursements or any amounts previously itemized in a notice filed in this case. If the court has previously approved an amount, indicate that approval in parentheses after the date the amount was incurred.

| | <u>Description</u> | <u>Date Incurred</u> | | <u>Amount</u> |
|----|---|----------------------|------|---------------|
| 1 | Late Charges | | (1) | \$0.00 |
| 2 | Non-sufficient funds (NSF) fees | | (2) | \$0.00 |
| 3 | Attorneys fees: Motion for Relief-- DE 34 | 06/24/2019 | (3) | (\$850.00) |
| 4 | Filing fee and court costs: Motion for Relief-- DE 34 | 06/24/2019 | (4) | (\$181.00) |
| 5 | Bankruptcy/Proof of claim fees | | (5) | \$0.00 |
| 6 | Appraisal/Broker's Price opinion fees | | (6) | \$0.00 |
| 7 | Property inspection fees | | (7) | \$0.00 |
| 8 | Tax Advances (non-escrow) | | (8) | \$0.00 |
| 9 | Insurance advances (non-escrow) | | (9) | \$0.00 |
| 10 | Property preservation expenses | | (10) | \$0.00 |
| 11 | Other. Specify: POC 410A Form Review Fee | | (11) | \$0.00 |
| 12 | Other. Specify: Plan Review Fee | | (12) | \$0.00 |
| 13 | Other. Specify: | | (13) | \$0.00 |
| 14 | Other. Specify: | | (14) | \$0.00 |

The debtor or trustee may challenge whether the fees, expenses, and charges you listed are required to be paid. See 11 U.S.C. § 1322(b)(5) and Bankruptcy Rule 3002.1.

Part 2: Sign Here


The person completing this Notice must sign it. Sign and print your name and your title, if any, and state your address and telephone number.

Check the appropriate box.

☐ I am the creditor

☒ I am the creditor's authorized agent.

I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.

 /s/ Ashlee Fogle
Signature

Date 07/29/2019

Print Ashlee Fogle
First Name Middle Name Last Name

Title Bankruptcy Attorney

Company RAS Crane, LLC

Address 10700 Abbott's Bridge Road, Suite 170
Number Street

Duluth, GA 30097
City

State ZIP Code

Contact Phone 470-321-7112

Email afogle@rascrane.com

I HEREBY CERTIFY that on July 30, 2019,

I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, and a true and correct copy has been served via CM/ECF or United States Mail to the following parties:

Jon M. Adelstein
Penn's Court
350 South Main Street
Suite 105
Doylestown, PA 18901

Shane Kelly Abbott, Jr.
744 Mearns Rd.
Warminster, PA 18974

William C. Miller, Esq.
Chapter 13 Trustee
P.O. Box 1229
Philadelphia, PA 19105

United States Trustee
Office of the U.S. Trustee
200 Chestnut Street
Suite 502
Philadelphia, PA 19106

RAS Crane, LLC
Authorized Agent for Secured Creditor
10700 Abbott's Bridge Road, Suite 170
Duluth, GA 30097
Telephone: 470-321-7112
Facsimile: 404-393-1425

By: /s/ Alexis Van Zilen
Alexis Van Zilen
avzilen@rascrane.com

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

RE: Shane Kelly Abbott, Jr. :
Debtor : Bky No. 19-10152 AMC
MTGLQ Investors, LP :
Movant : Chapter 13
Shane Kelly Abbott, Jr. :
William C. Miller :
Respondents :

STIPULATION IN SETTLEMENT OF MOTION FOR RELIEF

It is hereby stipulated by and between Lorraine Gazzara Doyle, Esquire the Law Offices of Martha E. Von Rosenstiel, P.C., attorney for the Movant, MTGLQ Investors, LP, and Jon M. Adelstein, Esquire, Esquire attorney for Shane Kelly Abbott, Jr. that the Automatic Stay pursuant to Section 362(e) of the Bankruptcy Code remain in effect, provided that the conditions set forth below are met.

As of the date of this Stipulation, Debtor is in arrears on post-petition payments in a total amount of **\$6,542.84**, which breaks down as follows:

| DUE DATE | AMOUNT |
|---|-------------------|
| 2/1/2019 through 5/1/2019 @ \$1,377.96 | \$5,511.84 |
| Attorney's fee for MFR | 850.00 |
| MFR Filing Cost | 181.00 |
| TOTAL POST ARREARS | \$6,542.84 |

Debtor hereby agrees to pay the arrears now due, as follows:

- (1) **On or before June 21, 2019**, Debtor shall remit payment to Movant for the amount

[REDACTED]

of \$538.59 which will represent the escrow component of the June 1, 2019 post-petition mortgage payment.

(2) **Beginning July 1, 2019**, Debtor shall begin making adequate protection payments to Movant for the escrow component of Debtor's monthly mortgage payment in the amount of \$538.59, payable on the 1st of each month through and including August 1, 2019. All Payments shall be made by **TRUSTEE'S CHECK, CERTIFIED CHECK, CASHIER'S CHECK OR MONEY ORDER**, and payable to:

Selene Finance
BK Payment Processing
9990 Richmond Ave, Suite 400S
Houston, TX 77042

(3) Parties agree that **on or before September 1, 2019**, Debtor will provide funds to Movant to **pay off** the balance of the loan regarding Property located at 744 Mearns Avenue, Warminster, PA 18974 ("Property").

IN THE EVENT OF DEFAULT

If any of the above payments are not made on or before the due date, or the loan is not paid in full on or before September 1, 2019, The Law Offices of Martha E. Von Rosenstiel, PC attorney for the Movant will send the Debtor and the Debtor's attorney a **TEN (10) DAY NOTICE OF DEFAULT**. If the default **IS NOT** cured within **TEN (10) DAYS FROM THE DATE OF THE NOTICE**, The Law Offices of Martha E. Von Rosenstiel P.C., attorney for the Movant, Selene Finance LP will file a Certification of Default with the court and upon receipt of the Order granting the relief requested may proceed with the foreclosure action, giving Debtor full credit for all mortgage payments received.

IN THE EVENT OF CONVERSION

In the event that the Debtor should convert to a Chapter 7, the Debtor agrees that Martha E. Von Rosenstiel, P.C. will send the Debtor and the Debtor's attorney a **TEN (10) DAY NOTICE**. If after ten (10) days the Debtor has failed to contractually reinstate the account, including all late charges, and fees and costs, a Certification of Default will be filed with the court requesting that the Automatic Stay be lifted with regard to the premises located at:

744 MEARNS ROAD, WARMINSTER PA 18974.

The Debtor(s) agree(s) that any Order granting Relief from the Automatic Stay will include a waiver of the F.R.B.P Rule 4001(a)(3) and that Movant, its successors and /or assigns may act upon the Order immediately.

It is agreed that Facsimile and /or electronic signatures are accepted as originals. Parties request that the attached Order be approved the Court.

Signed and agreed to this

day of

20



Lorraine Gazzara Doyle, Esquire
Attorney for Movant



Jon M. Adelstein, Esquire
Attorney for Debtors



William C. Miller
Chapter 13 Trustee

JACK

No objection

45458

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

| | | |
|-----------------------------|---|----------------------|
| RE: Shane Kelly Abbott, Jr. | : | |
| Debtor | : | Bky No. 19-10152 AMC |
| MTGLQ Investors, LP | : | |
| Movant | : | Chapter 13 |
| Shane Kelly Abbott, Jr. | : | |
| William C. Miller | : | |
| Respondents | : | |

ORDER

AND NOW THIS 24th **DAY OF** June , 20 , it is hereby **ORDERED**, that the attached stipulation is **APPROVED**.



UNITED STATES BANKRUPTCY JUDGE

Dated:

Copies to:
Martha E. Von Rosenstiel, P.C.
649 South Avenue
Secane, PA 19018

William C. Miller
P.O. Box 1229
Philadelphia, PA 19105

Jon M. Adelstein, Esquire
Penn's Court 350 South Main Street, Suite 105,
Doylestown, PA 18901

Shane Kelly Abbott, Jr.
744 Mearns Road,
Warminster PA 18974